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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/655,958	09/05/2003	Peter Pong	2003P08475US	8914

7590 05/03/2005

Siemens Corporation
Attn: Elsa Keller, Legal Administrator
Intellectual Property Department
170 Wood Avenue South
Iselin, NJ 08830

EXAMINER	
TRAN, QUOC DUC	

ART UNIT	PAPER NUMBER
2643	

DATE MAILED: 05/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/655,958	PONG, PETER	
	Examiner	Art Unit	
	Quoc D. Tran	2643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *05 September 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-32* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,7,8,10,17,23,24 and 26* is/are rejected.

7)☒ Claim(s) *2-6,9,11-16,18-22,25 and 27-32* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *05 September 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 7-8, 10, 17, 23-24 and 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Crawford (4,096,361).

Consider claim 1, Crawford teaches a method comprising: receiving input data containing return loss values of a communication trunk within a communications network, said return loss values measured at each frequency of a plurality of frequencies within a predetermined frequency band (col. 7 lines 21-24; col. 8 lines 42-45); calculating an optimum transhybrid balance impedance from said input data (col. 7 line 31 – col. 8 line 17); and transmitting said optimum transhybrid balance impedance to a user for further processing (col. 7 lines 24-28).

Consider claim 7, Crawford teaches wherein said frequency band includes said plurality of frequencies between 200 and 3400 Hertz (col. 5 lines 11-30).

Consider claim 8, Crawford teaches wherein said measured return loss values are 2-wire return loss values directly related to an input impedance of said communication trunk (col. 3 lines 15-25).

Consider claim 10, Crawford teaches a system comprising: means to receive input data containing return loss values of a communication trunk within a communications network, said return loss values measured at each frequency of a plurality of frequencies within a

predetermined frequency band (col. 7 lines 21-24; col. 8 lines 42-45); means to calculate an optimum transhybrid balance impedance from said input data (col. 7 line 31 – col. 8 line 17); and means to transmit said optimum transhybrid balance impedance to a user for further processing (col. 7 lines 24-28).

Consider claim 17, Crawford teaches a system comprising: a memory to store a plurality of return loss profiles, each return loss profile corresponding to a transhybrid balance impedance of a communication trunk within a communications network: and a processor coupled to said memory to receive input data containing return loss values of said communication trunk, said return loss values measured at each frequency of a plurality of frequencies within a predetermined frequency band (Fig. 1; col. 7 lines 21-24; col. 8 lines 42-45), to calculate an optimum transhybrid balance impedance from said input data (col. 7 line 31 – col. 8 line 17), and to transmit said optimum transhybrid balance impedance to a user for further processing (col. 7 lines 24-28).

Consider claim 23, Crawford teaches wherein said frequency band includes said plurality of frequencies between 200 and 3400 Hertz (col. 5 lines 11-30).

Consider claim 24, Crawford teaches wherein said measured return loss values are 2-wire return loss values directly related to an input impedance of said communication trunk (col. 3 lines 15-25).

Consider claim 26, Crawford teaches a machine-readable medium containing executable instructions, which, when executed in a processing system, cause said processing system to perform a method comprising: receiving input data containing return loss values of a communication trunk within a communications network, said return loss values measured at each

frequency of a plurality of frequencies within a predetermined frequency band (col. 7 lines 21-24; col. 8 lines 42-45); calculating an optimum transhybrid balance impedance from said input data (col. 7 line 31 – col. 8 line 17); and transmitting said optimum transhybrid balance impedance to a user for further processing (col. 7 lines 24-28).

Allowable Subject Matter

3. Claims 2-6, 9, 11-16, 18-22, 25, 27-32 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

5. Any response to this action should be mailed to:

Mail Stop ____(explanation, e.g., Amendment or After-final, etc.)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Facsimile responses should be faxed to:
(703) 872-9306

Hand-delivered responses should be brought to:
Customer Service Window
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Quoc Tran** whose telephone number is **(571) 272-7511**. The examiner can normally be reached on M, T, TH and SATURDAY from 8:00 to 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Curtis Kuntz**, can be reached on **(571) 272-7499**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **Technology Center 2600** whose telephone number is **(571) 272-2600**.

QUOC TRAN
PRIMARY EXAMINER